CHAPTER 9 BIOLOGICAL RESOURCES

9.1 SETTING

The DeWitt Center Study Area is approximately 80 percent developed. The majority of natural habitat onsite is comprised of approximately 16.25 acres of oak woodland in the southwest corner of DeWitt Center, with smaller natural habitat areas located in the northeastern corner and along the southern property boundary. Since DeWitt Center has been partially developed and in constant use since the mid 1940s, most of the natural habitats onsite have been subjected to considerable and ongoing disturbance.

Previous Studies

A number of biological studies have been conducted within the DeWitt Center Study Area prior to preparation of this EIR, encompassing either the entire property or selected portions. Within the past five years, four DeWitt Center Study Area biological studies have been conducted.

In 2001, North Fork Associates conducted a biological resources assessment for the Placer County Detention Facility, Main Jailhouse #4, and prepared a *Biological Resources Assessment Report* (January 8, 2001) and a *Supplement to the Biological Resources Assessment Report* (January 29, 2001). These investigations included a general biotic and habitat characterization and a wetland delineation, as well as a special status plant and animals species evaluation for the area around the Main Jail.

In 2002, North Fork Associates completed a general biological assessment of the DeWitt Center Study Area, including identification and mapping of habitat types present onsite, delineation of wetland resources, and preliminary assessments of the possibility of the area to support special status plant and animal species. Results of this assessment were presented in the *DeWitt Center Existing Conditions Report* and *Appendix* (September 2002). Also in 2002, Yamasaki Landscape Architecture prepared an Arborist Report for the existing trees at the proposed Land Development Building site, with a follow up tree survey conducted by North Fork Associates in 2003. The North Fork Associates tree survey included the proposed Children's Emergency Shelter and Women's Center sites. Results from the 2002 studies, as well as studies conducted in the spring of 2003 are the basis for analysis within this EIR.

Additionally, Gibson and Skordal conducted red-legged frog surveys for the DeWitt Center Study Area in August 2003 and for the property immediately south of DeWitt Center in spring of 2002. No red-legged frogs were found on either property. Upon completion of the report documenting this survey by Gibson and Skordal, a copy of the report will be available for review at the Placer County Department of Facility Services office located at 11476 C Avenue in DeWitt Center (Auburn, CA 95603).

Habitats

Habitat types are areas that support a similar and somewhat predictable set of plants and animals. Habitat types present onsite are specifically defined below. Habitat types across the ±180 acre project area range in condition from highly disturbed to relatively undisturbed. Habitat in the western portion of the area, including the ±16.25 acres of oak woodland and ±2.6 acres of open water pond and associated wetlands, is relatively natural. The open water ponds

were originally created as discharge areas for the decommissioned wastewater treatment plant in the central portion of DeWitt Center. With the decommissioning of the wastewater treatment plant, the open water ponds have converted into naturalized habitat areas. However, because DeWitt Center has been partially developed and in near constant use for so many years, the study area has been subjected to considerable disturbance, which has affected the quality of many of these habitat areas. The primary disturbance has come as a result of the dumping of large concrete rubble, other construction debris, and landscaping wastes (stumps, tree limbs and slash, leaves, and grass clippings). Some of the concrete rubble and construction debris was dumped many years ago and is partially overgrown with vegetation.

Other undeveloped habitats include the ±5.5 acre pasture in the northwest corner of the site, ±10.1 acres of ruderal shrub and annual grassland scattered throughout the site (ruderal habitats are those which have been or continue to be subjected to disturbance), ±0.2 acres of wetland swales, and ±1.5 acres of riparian wetland and upland. Natural habitats encompass ±40 acres of the DeWitt Center Study Area (NFA/URS, 2002). *Figure 9-1* provides a map of the habitat areas onsite.

Developed Areas

One-hundred and forty acres of the study area have been categorized as urban landscape. This includes all those parts of DeWitt Center that are developed or disturbed to the point that they generally provide no significant habitat value, except for urban wildlife, such as squirrels and some passerine songbirds, which tolerate and even thrive in developed areas. Within the urban areas, DeWitt Center supports ±22 acres of areas landscaped with mowed grasses and planted trees and shrubs that provide limited habitat value for these types of animals.

There is a landscaped parkway that runs along the northern border of the property, south of Bell Road and along both sides of A Avenue. The proposed Land Development Building (LDB) site is situated within a portion of this landscaped area. The area is primarily mowed grass with rows of very large introduced trees, including Liquidambar, London plane tree, and several ornamental pines. This area provides habitat to a variety of passerine bird species that can tolerate the extensive human presence. There are several other landscaped areas of lesser size throughout DeWitt Center, with and without trees and/or shrubs. In most instances, these consist of mowed grassy areas with no significant habitat value.

Ruderal

Ruderal habitats within the DeWitt Center Study Area are either in a constant state of disturbance, or consist of previously disturbed lands in the process of reverting to a vegetated or natural habitat condition. These areas are in various stages of vegetative succession, primarily annual grasslands and shrub habitats. They can be dominated by non-native grass species, dominated by shrubs and very small trees, or contain a mixture of both. Herbaceous species present in ruderal habitats include Italian ryegrass, annual bluegrass, blue wildrye, wild oats, yellow star thistle, medusa-head grass, chickweed, filaree, soft brome, and ripgut brome. Common shrub species include buckbrush, whiteleaf manzanita, coyote brush, coffeeberry, Himalayan blackberry, and pyracantha. These ruderal vegetative communities provide habitat or foraging opportunities for several species of reptiles, birds, and small mammals. During the 2002 surveys, species observed in ruderal habitats of the study area included ring-necked pheasant, California quail, killdeer, mourning dove, Anna's hummingbird, American robin,

European starling, Brewer's blackbird, several species of sparrows, and black-tailed jackrabbit. In addition, white-tailed kite, red-tailed hawk, and red-shouldered hawk were observed foraging in the ruderal areas. Tracks of black-tailed mule deer, raccoon, and unidentified small rodents were also evident in these areas.

Oak Woodland

This habitat, located in the southwestern portion of the study area, is characterized by a predominance of native oak trees in high numbers relative to other tree species and a moderate canopy cover. The woodland includes both blue oak and interior live oak with a scattering of foothill pine. Many of the oaks, in particular the blue oaks, are of substantial size and age. Of special note is a blue oak that is marked as being between 250 and 300 years in age. Its location has been noted on *Figure 9-1* Habitat Map. In some areas, other tree species, including incense cedar, cypress, junipers, and other conifers, have been introduced into the oak woodland. Understory species in the oak woodlands consist primarily of buckbrush, whiteleaf manzanita, coyote bush, and a mixture of grasses and forbs similar to those in ruderal areas.

Much of the oak woodland on the property has been disturbed in the past, either through tree and vegetation removal or dumping of debris and concrete rubble. In some of these areas the oaks are mature and the disturbance has primarily affected the understory. In some areas, most notably to the west of the smaller of the two ponds on the site, the oaks are small and shrubby as they emerge from amidst piles of debris.

Oak woodland habitat provides food and cover as well as roosting and breeding sites for wildlife. Oak acorns are critical food items for many animals, including western gray squirrel, mule deer, turkeys, other game species, acorn woodpeckers, raccoons, and deer mice. Oak foliage and the shrubby understory attract birds, such as bushtits, white-breasted nuthatches, brown creepers, common titmouse, and western peewee. Many animal species rely on oaks to provide shade, shelter, and breeding sites. Woodpeckers excavate nest-holes in snags (dead trees) or in dead oak limbs. These holes are frequently used by other hole-nesting species. Many birds that forage in grasslands and ruderal areas during the day use the oaks as roosting sites, resting in the trees at night. During the 2002 surveys, red-shouldered and red-tailed hawks and a white-tailed kite were observed roosting in the larger oaks and foraging in nearby ruderal areas. These species could nest here but no nests were observed. Further, the trees provide protection from the weather – many birds spend the hottest part of the summer days in the shade of the oak canopies.

In preparation of this EIR, a tree survey was conducted by North Fork Associates in the western portion of the woodland habitat, which is the proposed site of the Children's Emergency Shelter and Women's Center (CES and WC) projects. This survey found 87 native oak trees within the CES and WC sites. The majority of trees were assessed to have fair health, vigor, and structure. The Yamasaki Arborist Report and the North Fork Associates Tree Assessment report and accompanying tree maps are included in Appendix D of this EIR. *Figure 5-5* in **CHAPTER 5, AESTHETICS** shows the trees anticipated to be preserved at the LDB site.

Figure 9-1

Other Trees

The Yamasaki Arborist Report for the LDB site documents the species, size, and condition of the trees at the LDB site that occur outside of the proposed building footprint and evaluates these trees for preservation. This report found that 32 trees of substantial size exist at the LDB site in areas where they might be preserved. Native trees onsite include three blue oaks and six liquidambars. Other tree species include giant sequoia, silver maple, and camphor tree. The Arborist Report recommends removal of all three blue oaks and five of ten silver maples, while recommending preservation of all other trees documented in this report. A follow up tree assessment conducted by North Fork Associates at the LDB site found that approximately 120 trees of various species with trunk diameter at breast height of approximately six inches or greater exist across the entire site, including areas within the building and parking lot footprint.

Riparian Upland

Riparian upland habitat is associated primarily with the two ponds in the western portion of the DeWitt Center Study Area and other small wetlands along the southern border and in the northeast corners of the area. Riparian upland habitats form the outer boundary of the wetland areas and are dominated by Himalayan blackberry but also include live oak, willows, cottonwoods, pyracantha, and autumn willowweed. A common introduced species in these areas is tree-of-heaven.

This habitat type provides cover, foraging ground, and nesting habitat for many animal species, including yellow-rumped warblers, black phoebe, Anna's hummingbird, song sparrow, white-crowned sparrow, warbling vireo, Brewer's blackbird, red-winged blackbird, California quail, scrub jay, striped skunk, and raccoon. The extended wet period and higher density of vegetation in the riparian areas increases the food base, attracting more animal species than drier habitats.

Pasture

There is a large area intermittently used as pasture for horses in the northwest portion of DeWitt Center. This area consists primarily of non-native grasses and forbs with oak trees scattered throughout. If left idle, the area would probably revert to oak savanna but is sufficiently disturbed to be categorized as pasture. It provides very limited habitat value to a few avian species, such as Brewer's blackbirds, starlings, and crows.

Waters of the United States

The DeWitt Center property discharges water to two watersheds. The northeastern portion of the area drains into the Rock Creek watershed, and the remainder of the area drains to the North Ravine watershed. Two drainages drain the area. The headwaters of North Ravine along the western part of DeWitt Center drains into the abandoned sewer pond and then to the south. A smaller local drainage occurs in the center of the property and drains under the Main Jail facility, south under Atwood Road and into North Ravine. Precipitation falling on the site either sheet flows to the two drainages, is conveyed through stormwater drainage systems associated with the existing onsite development, or flows laterally underground along shallow bedrock to the drainages. Hydrology of the DeWitt Center Study Area is discussed in detail in **CHAPTER 11, HYDROLOGY AND WATER QUALITY.**

North Fork Associates prepared a wetland delineation for the project area in 2002. The delineation has been submitted to the U.S. Army Corps of Engineers, and was verified by the Corps on August 21, 2003. *Figure 9-2* presents the wetland delineation map.

Open Water Pond

DeWitt Center supports two open water ponds, totaling approximately 2.55 acres, in the southwestern portion of the property. These are the remnants of an abandoned sewage treatment pond system. The upper or larger of the two ponds is formed by an earthfill dam or dike with a gated water control structure that releases water to the lower, smaller pond, which is located about 225 feet to the south and about 20 feet lower in elevation than the upper pond. Water currently enters the upper pond via a riparian drainage channel immediately north of the pond that is fed by in-flow from an NID ditch (AR Associates 1995). Water from the lower pond is discharged through a culvert into a drainage channel south of Atwood Road and ultimately into North Ravine. Both ponds have bands of emergent vegetation around their peripheries, consisting primarily of broadleaf cattail and willows.

American coots, ruddy ducks, mallard ducks, great blue heron, and Pacific chorus frog were observed on both ponds during 2002 field visits. In addition, tree swallows, northern rough-winged swallows, black phoebe, and red-winged blackbirds were observed roosting or foraging around the upper pond's edge and over its surface. The ponds are also likely to support species such as violet green swallow, bullfrog, common and aquatic garter snake, raccoon, and Virginia opossum. The upper pond supports a warmwater fishery consisting of largemouth bass and various sunfishes. A pond turtle was observed in this pond during 2003 field visits.

Riparian Wetland

DeWitt Center supports approximately ±1.89 acres of riparian wetlands. Riparian wetlands occur around the periphery of the two open water ponds, along the drainage that feeds into the northern pond, along the southern periphery of the property near the Main Jail, and at the northeast corner of DeWitt Center. These riparian wetlands are generally dominated by hydrophytic tree species including several species of willows, Fremont cottonwood, and white alder. The understory contains Himalayan blackberry, cattails, sedges, and rushes.

Wildlife that use the riparian wetland habitat includes many of the same species that are found in the adjacent riparian upland. In addition, many of the avian species – the insectivorous birds in particular – that forage in or over the open water ponds use the riparian wetlands for nesting, roosting, or simply for resting.

Seasonal Wetland

A small (0.16 acres) seasonal wetland occupies the floor of a man-made stormwater detention pond along Atwood Road south of the Main Jail. The wetland vegetation consists of cattails and common rush, with some small willows along the periphery. Because of its proximity to the road and its openness, it is of limited value to wildlife. Species observed during the 2002 field visits included red-winged blackbird and Brewer's blackbird.

Another small (0.03 acres) seasonal wetland exists north of the larger of the two open water ponds onsite. Water in this wetland drains through an ephemeral drainage to the riparian wetland complex that surrounds the upper open water pond.

Figure 9-2

Wetland Swale

There are six wetland swales, totaling approximately 0.30 acres, on the DeWitt Center property. Wetland swales form where inundation or saturation occurs throughout the winter and at least portions of the spring. These areas may also have periodic flows from adjacent urban uses such as street runoff. Two swales occur directly north and directly south of the Main Jail. Both are vegetated primarily with broad-leaf cattails, while the northern swale also contains willows and Himalayan blackberry. This swale has been partially filled as a result of flood channel modifications. It drains via a culvert under the jail and empties into the southern swale, which is located within the security perimeter of the jail. This swale drains into the Atwood Road Detention Pond, which was created in 1996 and has naturalized into a riparian wetland under the jurisdiction of the Corps. Because of their disturbed condition and proximity to the jail and vehicular traffic, these swales support only a small amount of use by species such as red-winged blackbirds, white-crowned sparrows, and Pacific chorus frogs.

The other four wetland swales comprise a portion of the stormwater drainage network along the northern side of Atwood Road, starting east of Richardson Drive and traveling as far west as the jail. These swales convey water from the adjacent developed areas to the east and north through a narrow grassy corridor along Atwood Road. The swales are broken up by culverts placed under Richardson Drive and under the access driveway to the jail. The westernmost swale empties into the Atwood Road Detention Pond south of the jail. The drainage is then conveyed through a culvert under Atwood Road to the wetland complex on the property south of DeWitt Center, and eventually enters North Ravine. Vegetation within these swales includes Italian ryegrass, Baltic rush, Mediterranean barley, curly dock, and willow-herb. Because of their proximity to the road and adjacent buildings, these swales are of limited value to wildlife.

Adjacent Habitats

The natural habitats in the southwestern portion of the area are part of a much larger complex of habitats that extend primarily to the south and west. A large area of oak woodland, with limited rural development interspersed, abuts the property immediately to the west. To the south is a continuation of the riparian corridor that extends from the open water ponds until it enters North Ravine, about three-quarters of a mile south of DeWitt Center. This corridor traverses a lightly developed rural residential area. Also to the immediate south of DeWitt Center, directly south of the jail and Atwood Road, is a man-made open-water pond and another riparian corridor, extending southwest through currently undeveloped grassland and eventually discharging into North Ravine. The drainage from the wetland swales at the southern boundary of DeWitt Center is conveyed to this riparian corridor through a culvert. Placer County is currently considering an application to develop the area around this open water pond with 147 single family homes on lots ranging between 4,872 and 37,834 square feet. That development is the subject of the County's Atwood Ranch Unit III Subdivision EIR.

The wildlife assemblages of the adjacent areas are similar to those found in the project area and most of the species are likely to use all three adjacent areas — the oak woodland, the riparian corridor, and the open water pond — as habitat. The riparian habitats, both onsite and offsite, serve as segments of travel corridors for many species. The continuity of the travel corridors is broken by the existing level of development and existing roadways in the area. For example, species at DeWitt Center are somewhat isolated from habitats to the south by the presence of Atwood Road, which carries moderate traffic volumes.

Special Status Species

Appendix D to this EIR includes a list of species recognized by one or more local, state, or federal agencies and/or by a public interest conservation organization as requiring regulatory or special concern. The list was compiled from a query of the California Department of Fish and Game Natural Diversity Database, the U.S. Fish and Wildlife Service, and the California Native Plant Society. The Auburn USGS 7 ½ minute topographic quadrangle, the quadrangle in which DeWitt Center is located, and the surrounding eight quadrangles were queried. To facilitate the discussion in this EIR, each species in Appendix D is placed in one of the following three significance categories.

Category 1 species have full statutory legal status. That is, they are protected by law and all impacts to these species are considered significant and require mitigation. This category includes:

- Species listed as threatened or endangered pursuant to the federal Endangered Species Act,
- Species considered candidate species by the U.S. Fish and Wildlife Service, and
- Species considered rare (plants only), threatened, or endangered pursuant to the California Endangered Species Act.

Category 2 species are not protected by law; rather, they are given protection by regulation, guideline, or other mechanism. Impacts to Category 2 species are significant and require mitigation. Category 2 includes:

- Species considered species of special concern by the California Department of Fish and Game,
- Species fully protected by the California Fish and Game Code,
- Species considered threatened or endangered by Section 15380 of the California Environmental Quality Act Guidelines, and
- Species on the California Native Plant Society List 1 and List 2.

Category 3 species generally have no legal or regulatory protection, and impacts to Category 3 species are not necessarily significant. Each Category 3 species will be assessed individually to determine whether impacts to it are significant. This category includes:

- Species considered species of concern by the U.S. Fish and Wildlife Service,
- Species considered to be of local concern by the U.S. Fish and Wildlife Service,
- Species protected by the national Migratory Bird Treaty Act, and
- Species on the California Native Plant Society List 3 and List 4.

Species in all three categories that arose from the nine-quadrangle search are briefly listed in Appendix D. Category 1 and Category 2 species in Appendix D that occur in the DeWitt Center Study Area or are considered unlikely, possible, or likely to occur in the study area are discussed further in this section, and included in the following Special Status Species chart, *Table 9.1*. Category 1 and Category 2 species that have no likelihood to occur in the study area

are not discussed further in this section, but are included in Appendix D. Category 3 species that occur in the study area or are considered unlikely, possible, or likely to occur are discussed in the text when impacts to them or their habitat are substantial and possibly significant.

The following discussion and Special Status Species chart uses the following categories when assessing the likelihood of species occurrence at DeWitt Center.

- **None** The species does not occur in the DeWitt Center Study Area and there is no suitable habitat present. This includes species that may fly over the study area but for which no nesting habitat exists.
- **Unlikely** There is a very low probability for the species to occur in the study area.
- **Possible** The species could occur in the study area because marginally suitable habitat for it is present.
- **Likely** Suitable habitat for the species exists, and there is a fair to moderate probability that it could occur in the study area.
- **Occurs** The species has been observed in the DeWitt Center Study Area.

Table 9.1
Potential for Occurrence of Special Status Plant and Animal Species at DeWitt Center

Common Name	Scientific Name	Status*	Habitat Description	Likelihood of Occurrence
Plants				
Big-scale balsamroot	Balsamorhiza macrolepis macrolepis	List 1B	Chaparral, cismontane woodland; valley and foothill grassland [often serpentinite]	Unlikely. Marginal habitat onsite but not known from area.
Brandegee's Clarkia	*Clarkia biloba brandegeae*	List 1B	Foothill woodland, yellow pine forest, chaparral and cismontane woodland. Often found in roadcuts and/or serpentine soil.	Possible. Marginal woodland habitat onsite.
Sanford's Arrowhead	*Sagittaria sanfordii*	FSC/List 1B	Marshes, swamps, and ditches: assorted shallow freshwater.	Unlikely. Could occur in the road-side ditches, however, usually found at lower elevations.
Invertebrates				
None				
Amphibians				
California red-legged frog	*Rana aurora draytonii*	FT/CSC	Occurs in lowlands and foothills in deeper pools and streams with emergent wetland vegetation. Requires 11-20 weeks of water for larval development.	Unlikely. Marginal habitat exists in the ponds onsite.
Foothill yellow legged frog	*Rana boylii*	FSC/CSC	Found in partially shaded, shallow streams with rocky substrates. Needs some cobble-sized rocks as a substrate for egg laying.	Unlikely. Suitable rocky stream habitat not present onsite.

Common Name	Scientific Name	Status*	Habitat Description	Likelihood of Occurrence
Western spadefoot toad	*Scaphiopus hammondii*	FSC/CSC	Found primarily in grassland habitats, but may occur in valley and foothill woodlands. Requires vernal pools, seasonal wetlands, or stock ponds for breeding and egg laying.	Unlikely. Marginal habitat is present; generally occurs at lower elevations
Reptiles				
Western pond turtle	*Clemmys marmorata*	CSC	Inhabits ponds, marshes, rivers, streams and irrigation ditches with aquatic vegetation. Needs suitable basking sites and upland habitat for egg laying.	Likely. Suitable habitat is present onsite.
California horned lizard	*Phrynosoma coronatum frontale*	FSC/CSC	Found in a variety of habitats, but most common in sandy washes with scattered shrubs. Requires open areas for sunning, shrubs for cover, and sandy soil for hiding. In Auburn region, primarily associated with rocky chaparral areas with loose soils.	Unlikely. Marginal habitat occurs on the site.
Birds				
White-tailed kite (nesting)	*Elanus leucurus*	FSC/CFP	Found in lower foothills and valley margins with scattered oaks and along river bottomlands or marshes adjacent to oak woodlands. Nests in trees with dense tops.	Possible. Forages on the site; suitable nesting habitat is present.
Cooper's hawk (nesting)	*Accipiter cooperii*	CSC	Open woodlands, primarily near riparian areas. Usually nests in deciduous trees with a dense canopy.	Possible. Could nest onsite.
Northern harrier (nesting)	*Circus cyaneus*	CSC	Frequents meadows, grasslands, open rangelands, freshwater emergent wetlands; seldom found in wooded areas. Nests on ground in shrubby vegetation near marsh edge.	Unlikely. Suitable nesting and foraging habitat not present.
Burrowing owl (burrow sites)	*Athene cunicularia*	FSC/CSC	Found in annual and perennial grasslands. Nests in burrows dug by small mammals, primarily ground squirrels.	Unlikely. Marginal habitat occurs in disturbed areas; not typically found at this elevation in region.
Long-eared owl (nesting)	*Asio otus*	CSC	Occurs in dense, mixed forests and tall shrublands, usually next to open spaces, such as grasslands and meadows. Nests in abandoned crow, magpie or hawk nest in trees and occasionally in a natural tree cavity in habitats which create a dense canopy.	Unlikely. Habitat onsite is lacking in dense tree canopy.
Loggerhead shrike (nesting)	*Lanius ludovicianus*	FSC/CSC	Found in broken woodlands, shrubland, and other habitats. Prefers open country with scattered perches for hunting and fairly dense brush for nesting.	Possible. Suitable habitat is present.

Common Name	*Scientific Name*	*Status**	*Habitat Description*	*Likelihood of Occurrence*
Tricolored blackbird (nesting colony)	*Agelaius tricolor*	FSC/CSC	Colonial nester in dense cattails, tules, brambles or other dense vegetation. Requires open water, dense vegetation, and open grassy areas for foraging.	Unlikely. Cattail and blackberry around pond could provide suitable habitat, however generally not found at this elevation.
Yellow warbler (nesting)	*Dendroica petechia brewsteri*	CSC	Riparian deciduous habitats with low open-canopy: cottonwood, willows, alders, and other small trees/shrubs for nesting and foraging.	Unlikely. Suitable riparian habitat for nesting not present onsite.
Yellow breasted chat (nesting)	*Icteria virens*	CSC	Riparian thickets of willow and other brushy tangles near watercourses. Nests low in shrubs or small trees in dense riparian vegetation.	Unlikely. Suitable habitat for nesting not present onsite.
Mammals				
Pallid bat	*Antrozous pallidus*	CSC	Occurs in a wide variety of habitats: grassland, shrubland, woodland, and forest. Most common in open, dry habitats with rocky areas for roosting. Night roosts often include porches and open buildings.	Possible. Could roost in buildings and natural habitat areas onsite.
Yuma myotis bat	*Myotis yumanensis*	FSC/CSC	Inhabits forests and woodlands. Requires water over which it feeds. Roosts in caves, mines, buildings, or crevices.	Possible. Could roost in buildings and in oak woodland.
Townsend's big-eared bat	*Plecotus townsendii*	CSC/FSC	Found in all but subalpine and alpine habitats. Roosts in limestone caves, lava tubes, mines, and buildings.	Unlikely. Could roost in buildings, however, roosting sites are known to be very sensitive to any disturbance.

**The abbreviations for the "Status" column are defined as:*

FEDERAL	*STATE*	*CNPS*
FE = Federal Endangered	*CE = California Endangered*	*List 1A = Extinct*
FT = Federal Threatened	*CT = California Threatened*	*List 1B = Rare, threatened, or endangered in CA or elsewhere*
FC = Federal Candidate	*CR = California Rare*	*List 2 = Rare, threatened, or endangered in CA, more common elsewhere*
FSC = Federal Species of Concern	*CC = California Candidate*	*List 3 = More information is needed; a review list*
FSLC = Federal Species of Local Concern	*CSC = California Species of Special Concern*	*List 4 = Limited distribution; a watch list*
	CFP = California Fully Protected	

Biological resources surveys were conducted across the project area in 2002 and 2003. These surveys included targeted animal and plant observations to identify the potential for any special status species to occur in the DeWitt Center Study Area. The results of these surveys, including lists of all species observed onsite, are documented in Appendix D of this EIR.

Plants

Big-scale balsamroot *(Balsamorhiza macrolepsis var. macrolepsis)* is considered rare or endangered in California by the California Native Plant Society (List 1B) but is not designated by either the state or federal governments as rare, threatened, or endangered. It occurs in chaparral, woodland, and valley and foothill grassland habitats, often on serpentine soils. It has been found in elevations up to approximately 4,500 feet. Although marginal habitat for big-scale balsamroot exists onsite, it has not been found in the area and is unlikely to occur onsite. The results of the DeWitt Center 2003 spring floristic surveys concluded that no members of the genus *Balsamorhiza* were observed onsite although related common species were found in the oak woodland.

Brandegee's clarkia (*Clarkia biloba brandegeae*) is on the California Native Plant Society 1B list, indicating the species is rare or endangered in California and elsewhere. However, it has not been designated by either the state or federal governments as rare, threatened or endangered. This species is known primarily from chaparral and woodland at elevations below approximately 2,900 feet, often found on roadcuts and/or serpentine soil. Brandegee's clarkia has a possibility of occurring in the woodland habitat onsite. The results of the DeWitt Center 2003 spring floristic surveys concluded that two common members of the genus *Clarkia* were observed onsite, but *Clarkia biloba brandegeae* was not observed.

Sanford's Arrowhead (*Sagittaria sanfordii*) is on the California Native Plant Society List 1B, however it is not listed as rare, threatened, or endangered by state or federal governments. It is considered a species of concern by the U.S. Fish and Wildlife Service. Sanford's Arrowhead occurs in marshes and swamps within the Central Valley. It is usually found in standing or slow-moving freshwater ponds, marshes, and ditches. Sanford's Arrowhead is unlikely to occur onsite because it generally occurs at lower elevations and there are no marsh or swamp habitats onsite. The results of the DeWitt Center 2003 spring floristic surveys concluded that no members of the genus *Sagittaria* were observed in the ponds onsite.

Appendix D identifies other plant species known to occur or with potential to occur within an approximately 500 square mile area surrounding DeWitt Center. These plant species either do not occur onsite or are classified with Category 3 significance with no significant impacts to them or their habitat.

Invertebrates

Appendix D identifies invertebrate species known to occur or with potential to occur within an approximately 500 square mile area surrounding DeWitt Center. These invertebrate species either do not occur onsite or are classified with Category 3 significance with no significant impacts to them or their habitat.

Amphibians

The **California red-legged frog** (*Rana aurora draytonii*) is listed as threatened by the U.S. Fish and Wildlife Service and as a species of special concern by the California Department of Fish and Game. This frog formerly occurred throughout the lower elevations of the Sierra and foothills, but has been virtually eliminated in those regions by habitat alteration and predation. Predation leading to the red-legged frog decline has been attributed to introduced bullfrogs, as

well as miners from the Gold Rush period in California. No evidence of red-legged frog presence was observed onsite during the 2002 or 2003 field surveys. However, suitable habitat could occur in the ponds at DeWitt Center amid the overhanging and emergent vegetative cover. In the spring of 2002 a red-legged frog survey was conducted for the property immediately south of DeWitt Center by Gibson and Skordal, and in the late summer of 2003 Gibson and Skordal conducted a red-legged frog survey for the DeWitt Center Study Area. Neither survey found any occurrence of red-legged frogs in the study area or on the adjacent site. A copy of the Gibson and Skordal report on the DeWitt Center Study Area survey can be reviewed at the offices of the Placer County Department of Facility Services upon completion of that report, as stated above.

The **foothill yellow-legged frog** (*Rana boylii)* is listed as a species of concern by both the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The foothill yellow-legged frogs are found in or near partially shaded, shallow, and rocky streams in a variety of habitats in the Sierra foothills, coast ranges, and other mountain ranges of California. These frogs are typically associated with rockier substrates than are present at DeWitt Center. It is unlikely for them to occur in the project area. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

The **western spadefoot toad** (*Scaphiopus hammondi*) is considered a species of special concern by the California Department of Fish and Game and a species of concern by the U.S. Fish and Wildlife Service. It inhabits primarily grassland areas but may also be found in foothill hardwood and woodlands. Optimal habitat is grassland interspersed with shallow temporary pools, which are used during the breeding season. Newly metamorphosed juveniles seldom move far from the breeding ponds. Adults of the species spend most of the day during warm weather (spring through fall) in burrows in adjacent grasslands, coming to the surface to feed on insects in the evening. In colder weather they become inactive. The species may possibly occur in the general vicinity of the study area but there is no suitable habitat for them on the property. It is unlikely for the western spadefoot toad to occur on the property as it generally occurs at lower elevations and in grassland areas. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Appendix D identifies other amphibian species known to occur or with potential to occur within an approximately 500 square mile area surrounding DeWitt Center. These species either do not occur onsite or are classified with Category 3 significance with no significant impacts to them or their habitat.

Reptiles

Western pond turtles (*Clemmys marmorata)* are considered a species of special concern by the California Department of Fish and Game. These turtles occur throughout California, west of the Cascade-Sierra crest. Western pond turtles are associated with ponds and waterways in grassland, oak woodland, and coniferous forests. This aquatic reptile inhabits quiet waters of ponds, marshes, creeks, and irrigation ditches. A subspecies of the western pond turtle, the **northwestern pond turtle** *(Clemmys marmorata marmorata),* is also listed as a species of special concern by the California Department of Fish and Game. This subspecies has similar habitat requirements. The ponds and riparian wetlands on the property represent potential habitat for

western pond turtles. A western pond turtle was observed in the upper open water pond onsite. It is assumed that the lower pond also provides habitat for this species.

The **California horned lizard** (*Phrynosoma coronatum frontate*) is identified as a species of special concern by the California Department of Fish and Game and a species of concern by the U.S. Fish and Wildlife Service. It is found from Tehama County south to Tulare County and its habitats include foothill hardwoods, annual grasslands, and riparian habitats, especially in loose or sandy soils. This species occurs in rocky, sandy substrate areas. In the Auburn region, this species is primarily associated with rocky chaparral areas with loose soils. It is unlikely that the California horned lizard occurs onsite due the lack of suitable habitat. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Birds

For many birds, the California Department of Fish and Game's Natural Diversity Database tracks only nesting locations. All of the bird species in the Special Status Species chart above are tracked through nesting location (as indicated in parentheses after the common name). Therefore, this EIR primarily uses nesting habitat considerations to determine bird species potential to occur onsite and significance of impacts .

The **white-tailed kite** *(Elanus caeruleus)* is considered "fully protected" by the California Department of Fish and Game and the U.S. Fish and Wildlife Service considers it a species of concern. This species nests in trees with dense canopies within riparian habitats and oak woodlands in the Central Valley and foothills. White-tailed kites forage within open grassland and savanna areas. Suitable foraging habitat occurs in the western portion of DeWitt Center, where they have been observed roosting and foraging. A white-tailed kite was observed during the spring 2002 and 2003 surveys. The bird was seen foraging in the southwest corner of the property between the oak woodland habitat and the lower open water pond. Suitable nesting habitat is also available onsite but no evidence of this species nesting onsite was observed during site surveys.

Cooper's hawk (*Accipiter cooperii*) is listed by the California Department of Fish and Game as a species of special concern. These hawks are breeding residents throughout most of the wooded portions of California. This species typically nests in a tree with a dense canopy - from foothill pine-oak woodlands to ponderosa pine forest. They breed from early April to late August, with a peak from early June to early August. Nesting usually occurs in a deciduous tree, generally near open water or riparian vegetation. Suitable nesting habitat does exist in the project area, making it is possible that the Cooper's hawk could nest onsite. During winter, Cooper's hawks are found in a variety of wooded habitats. Cooper's hawks could possibly forage in the project area. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Northern harrier (*Circus cyaneus*) is a species of special concern to the California Department of Fish and Game. Harriers forage almost exclusively in marshlands, meadows, grasslands, and similar areas. They nest on the ground in hummocks of tall grasses or in shrubbery. There is marginal nesting habitat in the project area around the open water ponds and only limited area available for foraging for this species. In addition, the northern harrier usually occurs at lower

elevations. Therefore, it is unlikely that the northern harrier would nest onsite. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

The **burrowing owl** (*Athene cunicularai*) is considered a species of concern by the U.S. Fish and Wildlife Service and a species of special concern by the California Department of Fish and Game. Burrowing owls typically utilize abandoned ground squirrel (or other mammal) burrows within open grasslands in the Central Valley and foothills surrounding the San Joaquin County area. Burrowing owls are not typically found in the foothills of the western Sierra Nevada range. In the vicinity of Placer County, burrowing owls are more often found at elevations lower than the project site. They feed upon insects, small mammals, birds, reptiles, and carrion. Breeding occurs from March through August, with peak breeding season occurring in April and May. Burrows suitable for nesting and cover were not observed during biological studies onsite in 2002, nor during the 2003 spring surveys. For these reasons, and because of the amount of disturbance the project area receives, the species is unlikely to occur in the DeWitt Center Study Area.

Long-eared owl (*Asio otus*) is a species of special concern to the California Department of Fish and Game. Long-eared owls occur in dense, mixed forests and tall shrublands, usually next to open spaces, such as grasslands and meadows. They often nest in abandoned crow, magpie, or hawk nests, and occasionally in a natural tree cavity. The long-eared owl is typically a yearlong resident in elevations represented in the project area. Since DeWitt Center lacks habitat with dense tree canopy (an association of trees which together provide a dense canopy), the long-eared owl is unlikely to occur onsite. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Loggerhead shrike (*Lanius ludovicianus*) is listed as a species of special concern by the California Department of Fish and Game, and considered a species of concern by the U.S. Fish and Wildlife Service. This species can be found in lowlands and foothills throughout California. The loggerhead shrike prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches. Loggerhead shrike nests are usually in densely foliated shrubs or trees, and are generally well concealed. Suitable habitat is present onsite within the oak woodland habitat, and the species could possibly be present onsite. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Tricolored blackbird (*Agelaius tricolor*) is listed as a species of special concern by the California Department of Fish and Game, and is considered a species of concern by the U.S. Fish and Wildlife Service. These birds are largely endemic to California and breed mostly in the Central Valley. Western Placer County is at the edge of this species' breeding range. Their preferred habitat is among blackberry, cattails, and tules in freshwater emergent marshes and around shallow lakes. Tricolor blackbirds are generally found at lower elevations than the project area. There is potential suitable habitat among the cattail and blackberry surrounding the open water ponds in the western portion of DeWitt Center. However, due to the fact that the species typically occurs at lower elevations, it is unlikely to occur onsite. Surveys in spring of 2002 and 2003 did not reveal the presence of tricolored blackbirds onsite.

Yellow warbler (*Dendroica petechia brewsteri*) is a species of special concern to the California Department of Fish and Game. The species breeds in riparian deciduous habitats with low, open canopies, and dry montane chaparral. It nests in the fork of a deciduous tree or a small

shrub branch. The yellow warbler is a summer resident to the northern Sierra foothills. Suitable nesting habitat for this species does not occur in the project area and it is unlikely for it to occur onsite. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Yellow breasted chat (*Icteria virens*) is a species of special concern to the California Department of Fish and Game. The yellow breasted chat inhabits riparian thickets of willow and other brushy tangles near watercourses. The species nests low in a shrub or small tree in dense riparian vegetation, and is a summer resident to the Sierra foothills. Suitable nesting habitat for this species does not occur in the project area and it is unlikely for it to occur onsite. No evidence of their presence was observed during surveys conducted in the springs of 2002 and 2003.

Appendix D identifies other bird species known to occur or with potential to occur within an approximately 500 square mile area surrounding DeWitt Center. These bird species either do not occur onsite or are classified with Category 3 significance with no significant impacts to them or their habitat.

Mammals

The **Pallid bat (***Antrozous pallidus*) is considered a species of special concern by the California Department of Fish and Game. It occurs in the lower foothills up through the mixed conifer forests at about 6,000 feet in elevation. It prefers open, dry habitats with rocky areas or cavities in trees for roosting, however it has been found in a wide variety of habitats including grassland, shrubland, woodland, and forests. Pallid bats' day roosts are in caves, crevices, mines, and occasionally hollow trees and buildings. Night roosts may be in more open sites, such as porches and open buildings. It is very sensitive to heat and to disturbance of roosting sites. There is potential roosting habitat for the Pallid bat in the buildings and the more natural areas at DeWitt Center. It is possible that the Pallid bat occurs onsite. It is known that some bats roost in existing buildings onsite. Surveys to determine exact species of the onsite bats have not been conducted.

The **Yuma myotis bat** (*Myotis yumanensis*) is considered a species of special concern by the California Department of Fish and Game and a U.S. Fish and Wildlife Service species of concern. Optimal habitat is open forest and woodland with sources of water over which to feed. It roosts in caves, mines, tunnels, buildings, and under bridges. Suitable roosting habitat could be provided by the buildings and oak woodland onsite. It is possible that this bat roosts within DeWitt Center and/or forages over the site. It is known that some bats roost in existing buildings onsite. Surveys to determine exact species of the onsite bats have not been conducted.

Townsend's big-eared bat (*Plecotus townsendii*) is a species of special concern by the California Department of Fish and Game and a U.S. Fish and Wildlife Service species of concern. It is found in all but subalpine and alpine habitats. The species roosts in limestone caves, lava tubes, mines, and buildings, and is most abundant in moist habitats. Townsend's big-eared bat is extremely sensitive to disturbance of the roosting sites. Although suitable roosting habitat could be provided in the existing buildings, it is unlikely that the species occurs onsite due to its sensitivity to disturbance. It is known that some bats roost in existing buildings onsite. Surveys to determine exact species of the onsite bats have not been conducted.

Project Components

Although the onsite natural habitats have been disturbed to some degree, important habitat areas remain within the various project component sites. The Auburn Justice Center (AJC) site supports wetland swales and associated ruderal vegetation. The Children's Emergency Shelter and Women's Center (CES and WC) are proposed to be developed within the oak woodland natural habitat in the southwest corner of the area. The Land Development Building (LDB) and the various building demolitions are located in highly disturbed urban landscapes.

Land Development Building

The LDB site is currently highly developed, limiting the vegetation to lawns and scattered trees and shrubs. Many of the trees are significant in size; the large oak tree near the center of the site is particularly noteworthy. Approximately 120 trees exist at the LDB site, the majority of which are ornamental, non-native species. Of these, 38 are proposed for preservation. Native trees at this site consist of three blue oaks (*Quercus douglassii*). The diameter at breast height (dbh) of each oak tree is 47.5 inches, 72.5 inches, and 34 inches. Wildlife at this site is primarily limited to passerine songbirds, squirrels, and feral cats. Additionally, it is known that some bats roost in existing buildings at DeWitt Center, possibly including the buildings proposed for demolition at the LDB site. Surveys to determine exact species of the onsite bats have not been conducted, therefore it is possible that some special status bat species exist at the LDB site.

Auburn Justice Center

While the AJC site is primarily vacant, it is characterized by a high level of disturbance as a result of the previous grading operations onsite and in the vicinity. Scattered trees, including one 37 inch dbh live oak (*Quercus wislizeni*) and one 7 inch dbh blue oak, a few willows, and a few ornamental trees exist on portions of this site. A small wetland swale exists in the southwest portion of the site, which flows to a culvert passing under the Main Jail facility. An area of ruderal vegetation exists adjacent to the southwestern side of this swale. Ruderal habitats within DeWitt Center consist of lands subject to ongoing disturbance and previously disturbed lands in the process of reverting to a vegetated or natural habitat condition. The AJC site slopes down from the northeast and will require some grading to provide a level building site. The AJC site is not likely to support any special status plant or animal species.

Children's Emergency Shelter and Women's Center

The CES and WC facilities are proposed for construction within the undeveloped southwestern portion of DeWitt Center, west of the open water ponds. These sites currently support oak woodland habitat. The Tree Assessment for DeWitt Center (NFA 2003) found that 87 oak trees exist within these project sites. The majority of the trees were assessed as having fair health, vigor, and structure. These sites are also characterized by gently rolling topography, and the presence of several old debris piles which have been overgrown with vegetation.

Given the proximity of the CES and WC project sites to the onsite open water ponds and associated wetlands, it is possible that this area serves as a wildlife travel corridor, and the sites have potential to support some special status species. In addition, trees in the project area could support nesting raptors.

Facility/Building Demolition

The structures proposed for demolition largely consist of structures within the highly developed portions of DeWitt Center's urban landscape. Wildlife at the building and facility demolition sites is limited to passerine songbirds, squirrels and other rodents, and bats. It is known that some bats roost in existing buildings onsite. Surveys to determine exact species of the onsite bats have not been conducted, therefore it is possible that some special status bat species exist at the demolition sites. Due to a lack of substantial research on the special status bat species with potential to occur onsite, the California Department of Fish and Game and the U.S. Fish and Wildlife Service have not established protocols for surveys or measures for assessing and mitigating impacts to these species.

9.2 REGULATORY FRAMEWORK

Federal Regulation

Federal Endangered Species Act

The Federal Endangered Species Act prohibits the "take" of species (including animals and plants) listed by the U.S. Fish and Wildlife Service as endangered or threatened. The Federal Endangered Species Act does not protect species that have been proposed for listing but have not yet been listed. "Take" is defined to include harassing, harming (including significantly modifying or degrading habitat), pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species, or any attempt to engage in such conduct. Actions that cause the take of endangered or threatened species can result in civil or criminal penalties.

The Federal Endangered Species Act guidelines prohibit any federal action, including funding or the issuance of permits for projects that would jeopardize the existence of a threatened or endangered wildlife or plant species. The U.S. Army Corps of Engineers must consult with the U.S. Fish and Wildlife Service to determine if the issuance of a permit for fill in wetlands would jeopardize any threatened or endangered species that may be affected by a proposed project. In the context of a development project, the Federal Endangered Species Act would be triggered if the project would result in the take of a threatened or endangered species or if issuance of a Section 404 permit or other federal agency action could jeopardize a listed species or adversely affect designated critical habitat.

Section 404 of the Clean Water Act

The U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency regulate the discharge of dredge and fill material into waters of the United States under Section 404 of the Clean Water Act. The Corps will typically exert jurisdiction over that portion of the project area that contains waters of the United States and adjacent or isolated wetlands. This jurisdiction includes approximately the bank-to-bank portion of a creek along its entire length up to the ordinary high-water mark, and adjacent wetland areas that will either be directly or indirectly adversely affected by a proposed project.

State Regulation

California Endangered Species Act

The California Endangered Species Act restricts the "take" of plant and wildlife species listed by the state as endangered or threatened, as well as candidates for listing. Section 86 of the

California Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." As an implementation measure, the California Endangered Species Act directs agencies to consult with the California Department of Fish and Game regarding projects or actions that could affect listed species. Through this consultation, the California Department of Fish and Game must determine if jeopardy to listed species would occur, and identify "reasonable and prudent alternatives" to the project consistent with conserving the species. Agencies can approve a project that affects a listed species if the agency determines that there are "overriding considerations;" however, the agencies are prohibited from approving projects that would cause the extinction of a listed species.

Mitigating impacts on state listed species involves avoidance, minimization, and compensation (listed in order of preference). Unavoidable impacts on state listed species are typically addressed in a detailed mitigation plan prepared in accordance with California Department of Fish and Game guidelines. The California Department of Fish and Game exercises authority over mitigation projects involving state listed species, including those resulting from CEQA mitigation requirements.

Fish and Game Code Section 1600: Streambed Alteration Agreements

Under Chapter 6 of the California Fish and Game Code, the California Department of Fish and Game is responsible for the protection and conservation of the state's fish and wildlife resources. Section 1600 *et. seq*. of the code defines the responsibilities of the California Department of Fish and Game and the requirements for public and private applicants to obtain an agreement to "divert, obstruct, or change the natural flow or bed, channel, or bank of any existing fish or wildlife resource or from which those resources derive benefit, or will use material from the streambeds designated by the department." Public agencies file 1601 applications and private parties file 1603 applications for streambed alteration agreements. The local California Department of Fish and Game warden or unit biologist typically has responsibility for issuing streambed alteration agreements. These agreements usually include specific requirements related to construction techniques and remedial and compensatory measures to mitigate for adverse impacts. The California Department of Fish and Game may also require long-term monitoring as part of an agreement to assess the effectiveness of the proposed mitigation. Additionally, the California Department of Fish and Game has adopted a no-net-loss policy for wetlands.

Local Regulation

Placer County General Plan and Auburn/Bowman Community Plan

The DeWitt Center property and the proposed DeWitt Government Center Facility Plan fall under the jurisdiction of the *Placer County General Plan* and the *Auburn/Bowman Community Plan*. These plans highlight regulatory goals and policies for design, development, and planning within Placer County and the Auburn/Bowman unincorporated community. Polices and goals which are applicable to the proposed project are listed at the end of this *Regulatory Framework* section.

Placer County Tree Preservation Ordinance

Placer County has enacted a tree preservation ordinance that requires County approval prior to the removal of landmark or preserved trees, groves of native trees, native tree corridors, and

significant stands of native tree habitats. Placer County's tree ordinance (Chapter 12.16 of the Placer County Code) also prohibits the removal of trees from riparian areas without analysis of environmental impacts and the implementation of mitigation measures. For each tree identified for removal, and/or tree with disturbance to its dripline, replacement shall be as follows: one 15-gallon native oak tree for each tree removed or disturbance to its dripline; or three 5-gallon native oak trees for each tree removed or disturbance to its dripline; or five 1-gallon native oak trees for each tree removed or disturbance to its dripline; or fifteen seedlings and/or seeds for each tree removed or disturbance to its dripline.

Project Consistency with Local Regulations

As stated above, the primary local regulations applicable to the proposed project are the *Auburn/Bowman Community Plan* and the *Placer County General Plan.* The applicable goals and policies of those plans are listed below; while any inconsistencies of the proposed project with these goals and policies are discussed in **CHAPTER 4, LAND USE AND HOUSING** of this EIR.

Auburn/Bowman Community Plan

The Environmental Resources Management Element, Section IV, of the *Auburn/Bowman Community Plan* contains policies relating to biological resources within Placer County. Those policies applicable to the DeWitt Government Center Facility Plan project are listed below:

Goals IV.B.4.a

1. Preserve outstanding areas of native vegetation and trees, natural topographic features, wildlife habitats and corridors, and riparian corridors.
2. Conserve significant grassland and wooded areas as essential economic, natural, and aesthetic resources.
3. Protect, restore, and enhance threatened and endangered species and the habitat which supports those species.

IV.B.4.b.1 Conserve vegetative resources due to their importance for wildlife habitat, watershed protection, climate moderation, erosion control, and for their many other values.

IV.B.4.b.2 Conserve the natural landscape, including minimizing disturbance to natural terrain and vegetation, as an important consideration in the design of any subdivision or land development project.

IV.B.4.b.3 Require field studies as part of "major" project review or where the habitat of special status species is known to exist in order to document the possible occurrence of special status plant species and provide a method of protecting, monitoring, replacing or otherwise mitigating the impacts of development in and around these sensitive habitats.

IV.B.4.b.4 Support the "no net loss" policy for wetland areas administered by the U. S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Coordination with these agencies at all levels of project review shall continue to ensure that their concerns are adequately

addressed. Review the success of this policy every five years and make changes as appropriate.

IV.B.4.b.5 Identify, protect, and enhance riparian corridors and vegetation; encourage preservation and maintenance of these area in as natural a state as possible.

IV.B.4.b.7 Provide mitigation where impacts to stream environment zones or wetland areas are unavoidable. Measures shall include but not be limited to the identification of vegetation impacted; the preparation of revegetation plans; and the specific monitoring of plantings to assure that successful mitigation/revegetation has occurred.

IV.B.4.b.8 Encourage landowners and developers to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges and along important transportation corridors and designated scenic highways.

IV.B.4.b.9 Use native and compatible non-native species, especially drought resistant species, to the extent possible in fulfilling landscaping requirements imposed as conditions of discretionary permits.

IV.B.4.b.10 Conserve representative areas of undisturbed oak woodlands and valley grasslands that have significant value as wildlife habitat.

IV.B.4.b.11 Preserve and protect landmark trees and major groves of native trees.

Goals IV.B.5.a

1. Conserve the quality of habitats which support fish and wildlife species so as to maintain populations at sustainable levels.
2. Protect, restore and enhance habitats for native animals and protect threatened and endangered, and special status species.

IV.B.5.b.2 Identify and protect important spawning grounds, migratory routes, waterfowl resting areas, oak woodlands, wildlife corridors, and other unique wildlife habitats critical to protecting and sustaining wildlife populations.

IV.B.5.b.4 Recognize that stream channels, riparian corridors, natural drainages and the high quality of waters therein, are important as regional wildlife and fishery corridors.

IV.B.5.b.9 Give special consideration to the habitats of rare, threatened, endangered, and/or other special status species in the Plan area. Federal and State agencies, as well as other resource conservation organizations, shall be encouraged to acquire and manage endangered species' habitats.

IV.B.5.b.10 Require field studies as part of "major" project review or where the habitat of special status species has been identified. These studies shall document the possible occurrence of special status wildlife species and, provide a method for their protection, monitoring, replacement, or for otherwise mitigating development near their sensitive habitat.

Goals IV.C.1

1. Protect and preserve open spaces vital for wildlife habitat and/or which contain major or unique ecological significance.
2. Protect the natural beauty and minimize disturbance of natural terrain and vegetation.
3. Provide open space to shape and guide development and to enhance community identity.
4. Conserve visual resources of the community, including important vistas and wooded areas.

IV.C.2.c. Preserve and enhance natural landforms, native vegetation, and natural resources as open space to the maximum extent feasible.

IV.C.2.d Protect areas where greenbelts or linear open spaces should be preserved to enhance developed areas as well as to maintain the rural character of the area and clear boundaries of the "Auburn/Bowman" community.

IV.C.2.f. In the design and construction of new development, preserve the following types of areas and features as open space to the maximum extent feasible: high erosion hazard areas; areas subject to landslide or with severe slope stability problems; areas with high fire risk; scenic and trail corridors; streams and other areas subject to flooding from a 100-year storm; streamside vegetation; wetlands; significant stands of vegetation; wildlife corridors; and any areas of special ecological significance.

IV.C.2.g. Encourage development of all building sites and residences in a manner minimizing disturbance to natural terrain and vegetation and maximizing preservation of natural beauty and open space. Where urban uses are called for in the Plan, attempt to balance the needs of such projects with this policy.

IV.C.2.r Develop the recreational and open space potential of all water features, including reservoirs, natural streams and other waterways.

Placer County General Plan

The Natural Resources Element of the *Placer County General Plan* contains policies relating to biological resources within Placer County. The policies relating to biological resources that are applicable to DeWitt Government Center Facility Plan project are listed below:

Goal 6.A To protect and enhance the natural qualities of Placer County's streams, creeks and groundwater.

6.A.1 The County shall require the provision of sensitive habitat buffers which shall, at a minimum, be measured as follows: 100 feet from the centerline of perennial streams, 50 feet from centerline of intermittent streams, and 50 feet from the edge of sensitive habitats to be protected including riparian zones, wetlands, old growth woodlands, and the habitat of rare, threatened or endangered species (see discussion of sensitive habitat buffers in Part I of this *Policy Document*). Based on more detailed information supplied as a part of the

review for a specific project, the County may determine that such setbacks are not applicable in a particular instance or should be modified based on the new information provided. The County may, however, allow exceptions, such as in the following cases:

a. Reasonable use of the property would otherwise be denied;

b. The location is necessary to avoid or mitigate hazards to the public;

c. The location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or

d. The location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the County determines there is no feasible alternative and the project has minimized environmental impacts through project design and infrastructure placement.

6.A.3 The County shall require development projects proposing to encroach into a creek corridor or creek setback to do one or more of the following, in descending order of desirability:

a. Avoid the disturbance of riparian vegetation;

b. Replace riparian vegetation (on-site, in-kind);

c. Restore another section of creek (in-kind); and/or pay a mitigation fee for restoration elsewhere (e.g., wetland mitigation banking program).

6.A.5 The County shall continue to require the use of feasible and practical best management practices (BMPs) to protect streams from the adverse effects of construction activities and urban runoff and to encourage the use of BMPs for agricultural activities.

6.A.6 The County shall require that natural watercourses are integrated into new development in such a way that they are accessible to the public and provide a positive visual element.

6.A.7 The County shall discourage grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.

Goal 6.B To protect wetland communities and related riparian areas throughout Placer County as valuable resources.

6.B.1 The County shall support the "no net loss" policy for wetland areas regulated by the U. S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.

6.B.2 The County shall require new development to mitigate wetland loss in both regulated and non-regulated wetlands to achieve "no net loss" through any combination of the following, in descending order of desirability: (1) avoidance; (2) where avoidance is not possible, minimization of impacts on the

resource; or (3) compensation, including use of a mitigation banking program that provides the opportunity to mitigate impacts to rare, threatened, and endangered species and/or the habitat which supports these species in wetland and riparian areas.

6.B.3 The County shall discourage direct runoff of pollutants and siltation into wetland areas from outfalls serving nearby urban development. Development shall be designed in such a manner that pollutants and siltation will not significantly adversely affect the value or function of wetlands.

6.B.4 The County shall strive to identify and conserve remaining upland habitat areas adjacent to wetlands and riparian areas that are critical to the survival and nesting of wetland and riparian species.

6.B.5 The County shall require development that may affect a wetland to employ avoidance, minimization, and/or compensatory mitigation techniques. In evaluating the level of compensation to be required with respect to any given project, (a) on-site mitigation shall be preferred to off-site, and in-kind mitigation shall be preferred to out-of-kind; (b) functional replacement ratios may vary to the extent necessary to incorporate a margin of safety reflecting the expected degree of success associated with the mitigation plan; and (c) acreage replacement ratios may vary depending on the relative functions and values of those wetlands being lost and those being supplied, including compensation for temporal losses. The County shall continue to implement and refine criteria for determining when an alteration to a wetland is considered a less-than-significant impact under CEQA.

Goal 6.C To protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels.

6.C.1 The County shall identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife populations. Significant ecological resource areas include the following:

a. Wetland areas including vernal pools,

b. Stream environment zones,

c. Any habitat for rare, threatened or endangered animals or plants,

d. Critical deer winter ranges (winter and summer), migratory routes and fawning habitat,

e. Large areas of non-fragmented natural habitat, including Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat,

f. Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway,

g. Important spawning areas for anadramous fish.

6.C.3 The County shall encourage the control of residual pesticides to prevent potential damage to water quality, vegetation, and wildlife.

6.C.6 The County shall support preservation of the habitats of rare, threatened, endangered, and/or other special status species. Federal and state agencies, as well as other resource conservation organizations, shall be encouraged to acquire and manage endangered species' habitats.

6.C.7 The County shall support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.

6.C.9 The County shall require new private or public developments to preserve and enhance existing native riparian habitat unless public safety concerns require removal of habitat for flood control or other public purposes. In cases where new private or public development results in modification or destruction of riparian habitat for purposes of flood control, the developers shall be responsible for acquiring, restoring, and enhancing at least an equivalent amount of like habitat within or near the project area.

6.C.11 Prior to approval of discretionary development permits involving parcels within a significant ecological resources area, the County shall require, as part of the environmental review process, a biotic resources evaluation of the sties by a wildlife biologist, the evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of rare, threatened, or endangered species of plants or animals. Such evaluation will consider the potential for significant impact on these resources, and will identify feasible measures to mitigate such impacts or indicate why mitigation is not feasible. In approving any such discretionary development permit, the decision-making body shall determine the feasibility of the identified mitigation measures.

Significant ecological resource areas shall, at a minimum, include the following:

a. Wetland areas including vernal pools,

b. Stream environment zones,

c. Any habitat for rare, threatened or endangered animals or plant,

d. Critical deer winter ranges (winter and summer), migratory routes and fawning habitat,

e. Large areas of non-fragmented natural habitat, including Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat,

f. Identifiable wildlife movement zones, including buy not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway,

g. Important spawning areas for anadramous fish.

Goal 6.D To preserve and protect the valuable vegetation resources of Placer County.

6.D.1 The County shall encourage landowners and developers to preserve the integrity of existing terrain and natural vegetation in visually-sensitive areas such as hillsides, ridges, and along important transportation corridors.

6.D.2 The County shall require developers to use native and compatible non-native species, especially drought-resistant species, to the extent possible in fulfilling landscaping requirements imposed as conditions of discretionary permits or for project mitigation.

6.D.4 The County shall ensure that landmark trees and major groves of native trees are preserved and protected. In order to maintain these areas in perpetuity, protected areas shall also include younger vegetation with suitable space for growth and reproduction.

6.D.7 The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, nutrient catchments, and wildlife habitats. Such communities shall be restored or expanded, where possible.

6.D.8 The County shall require that new development preserve natural woodlands to the maximum extent possible.

6.D.10 The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.

6.D.12 The County shall support the retention of heavily vegetated corridors along circulation corridors to preserve their rural character.

6.D.13 The County shall support the preservation of native trees and the use of native, drought-tolerant plant material in all revegetation/landscaping projects.

6.D.14 The County shall require that new development avoid, as much as possible, ecologically fragile areas (e. g., areas of rare or endangered species of plants, riparian areas). Where feasible, these areas should be protected through public acquisition of fee title or conservation easements to ensure protection.

Goal 6.E To preserve and enhance open space lands to maintain the natural resources of the county.

6.E.1 The County shall support the preservation and enhancement of natural land forms, natural vegetation, and natural resources as open space to the maximum extent feasible. The County shall permanently protect, as open space, areas of natural resource value, including wetlands preserves, riparian corridors, woodlands, and floodplains.

6.E.2 The County shall require that new development be designed and constructed to preserve the following types of areas and features as open space to the maximum extent feasible:

a. High erosion hazard areas;

b. Scenic and trail corridors;

c. Streams, streamside vegetation;

d. Wetlands;

e. Other significant stands of vegetation;

f. Wildlife corridors; and

g. Any areas of special ecological significance.

6.E.3 The County shall support the maintenance of open space and natural areas that are interconnected and of sufficient size to protect biodiversity, accommodate wildlife movement, and sustain ecosystems.

9.3 IMPACTS

Significance Criteria

A biological resource impact would be significant if any of the following conditions, as described in Appendix G of the CEQA Guidelines, would result with implementation of the proposed project:

- Disturbance of a significant natural vegetation type;
- Disturbance or degradation of waters or wetlands subject to U.S. Army Corps of Engineers jurisdiction under the federal Clean Water Act;
- Adverse affects on a population or the critical habitat of rare or endangered plants or animals;
- Substantial interference with the movement of resident or migratory fish or wildlife;
- Substantial reduction in habitat for fish, wildlife, or plants; or
- Conflicts with adopted goals, policies or regulations of relevant regulatory agencies.

Project Impacts

Impacts are evaluated below in detail. *Table 9.2* provides a summary of potential project impacts by project phase, as described in **CHAPTER 2, PROJECT DESCRIPTION**.

Table 9.2 Potential Biological Resource Impacts by Phase

Project Phase	*Potential Impact*
Phase A	Less than significant noise impacts upon wildlife due to demolition of the WWTP. Potential impacts to special status bats from demolition of the Bell Gardens Apartments.
Phase B	Less than significant noise impacts upon wildlife due to the construction of the Land Development Building.
Phase C	Impacts to wetland resources due to the construction of the Auburn Justice Center. Less than significant noise impacts upon wildlife due to construction.
Phase D	Impacts to oak trees and oak woodland habitat due to the rough grading for the Children's Emergency Shelter and Women's Center. No impacts to pond habitats. Less than significant construction noise impacts to onsite wildlife. Subsequent project-level environmental review for both projects would assess the potential impacts to oak

Project Phase	Potential Impact
	woodland habitat, and any special status species onsite, related to construction of both facilities.
Phase E	No impact to biological resources during transfer of employees.
Phase F	Potential impact to special status bats due to building demolition. Less than significant construction and demolition noise impacts to onsite wildlife.
Phase G	No impact to biological resources during relocation of occupants.
Phase H	Potential impact to special status bats due to building demolition. Less than significant demolition noise impacts to onsite wildlife.
Phase I	No impact to biological resources during relocation.
Phase J	Potential impact to special status bats due to building demolition. Less than significant demolition noise impacts to onsite wildlife.

Impacts Determined to be Less Than Significant

Substantial Interference with the Movement of Resident or Migratory Fish or Wildlife. Development to the north, east, and south has tended to isolate much of DeWitt Center from surrounding habitats. The area to the west is less developed and probably provides habitat for some wildlife species that may also use the DeWitt property for foraging. In addition, migratory birds may use the property for resting, foraging, and nesting. Field surveys in 2002 and 2003 did not locate areas that could be considered migration corridors for terrestrial species other than birds, and no migratory fish are known to use the site. Not all wildlife habitat will be impacted by project activities, specifically, no impacts to the onsite open water ponds will occur, other than the expansion of associated wetland habitat along the periphery of the upper pond during implementation of *Mitigation Measure 9.3a*. Birds will continue to use this area. Consequently, the movement of migratory fish and wildlife will not be substantially impaired.

Substantial Reduction in Habitat for Fish, Wildlife, or Plants. The majority of DeWitt Center has been in active use since 1942. Although portions of DeWitt Center support oak woodland and other important habitat, the areas impacted by the LDB and AJC have been degraded by earth moving, construction, and other activities. These areas support extensive amounts of ruderal habitat, and impacts to them will not substantially reduce habitat for wildlife. Noise from construction or building demolition may have a temporary impact on some wildlife, but this is not expected to be significant or long lasting.

The isolated wetland swales at the AJC site and within the security perimeter of the Main Jail provide little habitat value because of previous grading and building activities. These swales lack mature riparian vegetation and are surrounded by ruderal upland habitat. As discussed in Impact 9-2 below, the impacts to all wetland areas will be mitigated through onsite habitat replacement, in compliance with U.S. Army Corps of Engineers requirements. Wildlife using the wetland swales at the AJC site will be temporarily displaced but will be able to re-inhabit wetland areas in the DeWitt Center Study Area with implementation of the wetland mitigation. As the swales have a low habitat value, the temporal displacement will be a less than significant impact on wildlife and plant habitat at DeWitt Center.

Onsite habitat areas with high value for fish, wildlife, and plants consist of the open water ponds, wetlands, and oak woodland in the western, southern, and northeastern portions of DeWitt Center. The ponds and wetlands are part of the North Ravine watershed. They drain to

the south, through culverts under Atwood Road, into a southerly flowing intermittent drainage. The onsite open water ponds will not be impacted as a result of the proposed project, and they will continue to drain into the adjacent habitat to the south. The property surrounding this drainage is proposed for development as a residential subdivision, with lots ranging from 4,872 to 37,834 square feet. A middle school is planned for development south of the proposed residential development. Rural residential land uses exist west and south of this area, and suburban residential land uses exist to the east. The existing and future development in the area limits the habitat value of this drainage corridor.

Habitats west of DeWitt Center consist of oak woodland habitat interspersed within a rural residential community. The onsite oak woodland represents the eastern boundary of this habitat. As discussed above, it is likely that some wildlife found in the oak woodland areas to the west of DeWitt Center forage onsite occasionally. Species observed onsite during the 2002 and 2003 surveys are documented in Appendix D. With the exception of the oak titmouse (*Baeolophus inornatus*), none of the species occurring in the oak woodland are considered to be special status species by the local, state, or federal agencies. The oak titmouse is a species of local concern to the U.S. Fish and Wildlife Service. As such, it is of Category 3 significance based on the special status species significance categories discussed in Section 9.1. This indicates that the species has no formal legal or regulatory protection and that impacts to this species are not necessarily significant.

The CES and WC projects are proposed for development in the southwestern corner of DeWitt Center. The proposed DeWitt Government Center Facility Plan includes only rough grading and provision of infrastructure for these two projects, with actual construction and operation to be considered as subsequent projects. This EIR provides a programmatic evaluation of the subsequent development, with project-specific analysis of the rough grading and provision of infrastructure. The proposed grading and provision of infrastructure would result in temporary impacts related to noise and habitat disturbance, including some tree removal, which is discussed further under Impacts 9.1 and 9.2. However, much of the surrounding woodland will remain, and the grading and infrastructure for the proposed CES and WC will not substantially reduce wildlife habitat, including habitat for the oak titmouse. The mitigation measures provided for impacts to the oak woodland vegetation will also serve to improve the habitat value of the woodland.

To be evaluated as separate subsequent development projects, the proposed CES and WC would be designed to have rural residential character consistent with the neighboring residential community to the west. The building design, roadway and infrastructure alignments, lighting, and noise levels at the CES and WC would be similar to that of a rural residential development. Construction of the CES and WC would have temporary impacts to some species. However, as above, much of the surrounding woodland will remain, and the construction and operation of the proposed CES and WC is not expected to substantially reduce wildlife habitat, including habitat for the oak titmouse. These impacts will be evaluated at the project-specific level in subsequent environmental review.

Conflict with Adopted Goals, Policies or Regulations of Relevant Regulatory Agencies. The proposed project is consistent with all applicable goals and policies of Placer County, California Department of Fish and Game, U.S. Fish and Wildlife Service, and U.S. Army Corps of

Engineers. By concentrating development within previously developed and/or disturbed areas within DeWitt Center, impacts to biological resources are minimized. The project is consistent with all applicable goals and policies of the *Auburn/Bowman Community Plan* and *Placer County General Plan,* as listed above, other than as discussed in Impacts 9.1, 9.2, 9.3, and 9.4 below. The project impacts to native trees are mitigated through implementation of the Placer County Tree Protection Ordinance; impacts to the oak woodland habitat are mitigated through habitat restoration, as discussed in Impact 9.1 below; and impacts to wetlands and special status species are adequately mitigated, as discussed in Impacts 9.2 and 9.3.

Potentially Significant Impacts

Impact 9.1: Loss of Native Trees

Significance Before Mitigation:	Significant
Mitigation:	9.1a through 9.1c
Significance After Mitigation:	Less than Significant

Trees at each proposed construction site and at the site of proposed demolition of Buildings 201 through 207 and 211 through 217 were surveyed in spring 2003. Sites of proposed demolition of Buildings 1, 7, 8, and 15 through 18 and the wastewater treatment plant were not surveyed as a brief visual inspection indicated there are no native trees in these locations. *Figure 9-*3 shows tree locations within the LDB and AJC sites, while *Figure 9-4* shows the tree mapping data for the CES and WC sites. No native trees were identified in the locations of Buildings 201 through 207 and 211 through 217.

Results from the tree survey indicate that three oak trees, sized 34, 47.5, and 72.5 inches dbh, exist on the LDB site. Two of these trees, numbers 542 and 543 (with 72.5 and 34 inches dbh, respectively) would be removed as part of this proposed project. At the AJC site, the tree survey found two oak trees, 37 and 7 inches dbh. Both of these trees would be removed or impacted during project construction. Review of the tree survey results in conjunction with the CES and WC preliminary site plans indicates that approximately seven oak trees (four blue oaks, two live oaks, and one valley oak [*Quercus lobata*]) would be removed to accommodate those components of the proposed project and 35 additional oak trees along Atwood Road would be removed to accommodate the provision of infrastructure to these sites. The trees along Atwood Road were not included in the tree survey, but would be evaluated during subsequent project-level environmental review of the CES and WC. The seven trees that would be impacted onsite consist of one 12 inch dbh multi-trunked live oak, one 23 inch dbh multi-trunked blue oak, one 19 inch dbh blue oak, one 13 inch dbh blue oak, one 17.5 inch dbh multi-trunked blue oak, one 16 inch dbh multi-trunked live oak, and one 22 inch dbh multi-trunked valley oak. Tree removal impacts at the CES and WC sites would be evaluated during subsequent project-level environmental review of the final site plans prior to construction.

Implementation of standard tree protection fencing during construction and demolition with oversight by an appropriately qualified specialist, as described in *Mitigation Measures 9.1a* and *9.1b*, will minimize impacts to oak trees, while implementation of onsite tree replacement measures pursuant to the Placer County Tree Preservation Ordinance, *Mitigation Measure 9.1c*, will compensate for the loss of trees.

Figure 9-3

Figure 9-4

Impact 9.2: Disturbance of a Significant Natural Vegetation Type

Significance Before Mitigation:	Significant
Mitigation:	9.2a through 9.2b
Significance After Mitigation:	Less than Significant

Loss of oak woodland vegetation. Approximately 16.25 acres of oak woodland exist on the DeWitt Center property. This vegetation has a high number of native trees, mostly oaks, and a moderate tree canopy. Some of the woodland area has been degraded by previous activities at the site, including earth moving operations, introduction of ornamental and non-native plant species, and stockpiling of solid waste in portions of the woodland. Based on the results of the Tree Assessment for DeWitt Center (NFA 2003), the health of this woodland is fair.

The proposed development of the CES and WC in western portion of the oak woodland would have potentially significant impacts to the woodland vegetation area through the removal of trees and habitat fragmentation. While the preliminary site layout has been designed to minimize impacts to the oak trees on the project site, it is expected that seven trees within a ±7-acre project site will be removed or damaged. *Figure 9-4* shows tree mapping data for the oak woodland in the CES and WC sites. Additional impacts to the oak woodland are expected to result from the implementation of *Mitigation Measure 9.3a*, which requires the creation of new wetland habitats adjacent to the onsite open water ponds. The location of the proposed wetland creation currently supports riparian upland and oak woodland habitat.

Mitigation measures to be implemented will minimize and compensate for impacts to the oak woodland vegetation. In addition to *Mitigation Measure 9.1a*, which requires standard tree protection fencing during construction, *Mitigation Measure 9.1b* which requires oversight by an appropriately qualified specialist, and *Mitigation Measure 9.1c*, which requires replacement of individual tree loss pursuant to the Placer County Tree Preservation Ordinance, impacts to oak woodland vegetation will be mitigated through designation of a tree preservation easement and development of an onsite habitat restoration and monitoring plan, as described in *Mitigation Measure 9.2a*. The restoration plan will include mitigation of impacts to oak woodland resulting from the wetland creation program. Implementation of these measures will reduce impacts to this vegetation to less than significant levels.

Loss of riparian upland. Habitat mapping indicates that three acres of riparian upland exist in the DeWitt Center Study Area. Approximately one-half acre of riparian upland will be impacted as a result of the proposed project and future anticipated development within the DeWitt Center, although some of this development is not included in the currently proposed DeWitt Government Center Facility Plan (2003 – 2010). This habitat is associated with riparian wetland, and it is uniquely valuable and significant as it provides cover, foraging ground, and nesting habitat for many animal species. In addition, the extended wet period and higher density of vegetation in the riparian upland increases the food base, attracting more animal species than in drier habitats. The future anticipated impacts to riparian upland would be mitigated concurrently with mitigation of impacts to wetlands through implementation of *Mitigation Measure 9.2b*.

Impact 9.3: Disturbance or Degradation of Waters or Wetlands Subject to U.S. Army Corps of Engineers Jurisdiction Under the Federal Clean Water Act

Significance Before Mitigation:	Significant
Mitigation:	9.3a through 9.3d
Significance After Mitigation:	Less than Significant

The proposed project would impact wetland swales at the proposed AJC site and within the security perimeter of the Main Jail. The swale within the AJC site would be impacted by construction of the parking lot. The swale within the Main Jail security perimeter would be filled in order to improve security at the jail. In their current condition, the swale and its associated vegetation provide potential hiding and escape areas for inmates and obstruct views across the security perimeter that are required to be maintained in an open condition by Department of Justice standards. The project proposes installing culverts in both locations to maintain the water flow through the site. Both swales drain to the onsite water detention pond south of the Main Jail.

The County proposes to mitigate impacts to these wetlands through a program of onsite wetland creation and enhancement. The County has applied to the U.S. Army Corps of Engineers for a Permit authorizing impacts to waters of the United States. Included in that application is a mitigation and monitoring plan to offset those impacts. The mitigation program is discussed in *Mitigation Measure 9.3a,* which would ensure that the County meets the "no net loss" of wetland habitat standard of the Corps. The County will also apply for a 401 Water Quality Certification from the Regional Water Quality Control Board. Receipt of the 401 Certification is a condition of the Corps permit.

In addition to wetland impacts from the currently proposed DeWitt Government Center Facility Plan (2003 – 2010), the County is anticipating future wetland impacts throughout DeWitt Center. The areas where future impacts are anticipated include the wetlands surrounding the Richardson Drive/Atwood Road intersection, and a wetland in the northeastern portion of the property, east of Kemper Canal. *Figure 9-2*, the Wetland Delineation Map, indicates the location and type of all onsite waters and wetlands under the jurisdiction of the Corps. These anticipated impacts are included in the Corps Permit application and mitigation program. This mitigation approach prevents piecemeal wetland mitigation and allows for all of the project related and anticipated future wetland impacts to be mitigated in one coordinated program.

Impacts to wetlands could also occur as a result of erosion during project demolition and construction and during the future construction of the CES and WC projects. Erosion at the LDB and AJC sites could contribute to sedimentation of the detention pond south of the Jail, and the detention basin west of the Jail, while erosion during rough grading and installation of infrastructure at the CES and WC sites could contribute to sedimentation of the waters and wetlands associated with the open water ponds onsite. *Mitigation Measures 9.3b* and *9.3c* require the use Best Management Practices for sediment and erosion control to prevent sediment from entering the wetland areas.

In addition to the potential for erosion and sedimentation, the future site design of the CES and WC projects could lead to continuing impacts to the waters and wetlands associated with the open water ponds onsite due to runoff from the sites if the facilities are located too close to

those resources. *Mitigation Measure 9.3d* establishes development setbacks from the riparian wetland habitat associated with both open water ponds. These setbacks would be implemented during the future construction of the CES and WC to avoid further impacts to wetlands.

Impact 9.4: Adverse Affects on a Population or the Critical Habitat of Rare or Endangered Plants or Animals

Significance Before Mitigation:	Significant
Mitigation:	9.4a through 9.4c
Significance After Mitigation:	Less than Significant

The potential for special status plant and animal species to occur onsite is discussed in the Setting section of this chapter. That analysis, which is based on site surveys conducted during spring 2002 and spring 2003, found that western pond turtles do occur in the open water pond onsite. This habitat area will not be impacted by the proposed project, other than through the wetland expansion and creation program required as mitigation for project and future impacts to existing wetlands. The wetland mitigation program is designed to improve onsite habitat and will not result in adverse impacts to special status species using the onsite ponds for habitat.

The site surveys did not find any other special status species to be nesting or otherwise utilizing the project area for any of its life cycle, although the project area may provide suitable nesting habitat for some birds. A white-tailed kite was observed in March of 2002 and in May 2003 foraging in the southwestern portion of DeWitt Center, between the oak woodland and the lower onsite open water pond. Impacts to foraging habitat are not considered significant. *Mitigation Measure 9.4a* requires that pre-construction surveys for nesting raptors be conducted and establishes minimum setbacks from nest trees, if any are found.

The oak titmouse is a species listed by the U.S. Fish and Wildlife Service as a species of local concern. This species is of Category 3 Significance, meaning that the species has no legal or regulatory protection, and impacts to it are not necessarily significant. The oak titmouse inhabits the oak woodland habitat onsite. Impacts related to loss or degradation of oak woodland are addressed in Impact 9.2. Mitigation of those impacts pursuant to *Mitigation Measures 9.2a* and *9.2b* will serve to mitigate any impacts to the oak titmouse.

Additionally, there is potential for three special status bat species to roost within the existing buildings onsite. It is known that some bats do roost in these buildings, but surveys were not done to determine specific species because such surveys are impractical and not fully reliable. Therefore, it is assumed that special status bat species **do** occur in the buildings proposed for demolition. *Mitigation Measures 9.4b* and *9.4c* provide the best-known feasible mitigation to avoid impacts to individual bats and to compensate for the loss of habitat. Due to a lack of substantial research on the special status bat species with potential to occur onsite, the California Department of Fish and Game and the U.S. Fish and Wildlife Service have not established protocols for surveys or measures for assessing and mitigating impacts to these species. This EIR relies on the best-known feasible and most commonly used mitigation measures, in compliance with the standards expressed in Section 15126.4 of the CEQA Guidelines.

9.4 MITIGATION MEASURES

Loss of Native Trees

Mitigation Measure 9.1a: Implement *Mitigation Measure 5.1a,* which requires provision of tree protection fencing during construction.

Mitigation Measure 9.1b: Implement *Mitigation Measure 5.1b,* which requires an appropriately qualified specialist to oversee proposed improvements that may affect any tree to be preserved.

Mitigation Measure 9.1c: Implement *Mitigation Measure 5.1c,* which requires planting of trees to replace native trees impacted or removed during construction.

Disturbance of a Significant Natural Vegetation Type

Mitigation Measure 9.2a*:* The County shall submit a habitat restoration and monitoring program to the Planning Department and the Department of Public Works for approval prior to issuance of a grading permit for any grading operations that impact the oak woodland. The habitat restoration shall occur in the onsite oak woodland habitat and adjacent ruderal habitat. The County shall implement the restoration program concurrent with implementation of grading and construction projects that impact the oak woodland and must demonstrate compliance with the preliminary phases of the restoration and monitoring program prior to issuance of Certificates of Occupancy for projects that impact the oak woodland. This program shall cover an area two times the size of the oak woodland habitat area directly impacted by the proposed project (i.e., through construction of the Children's Emergency Shelter, construction of the Women's Center, and/or implementation of *Mitigation Measure 9.3a*). This program shall be developed by an ISA certified arborist, Registered Forester, or Landscape Architect and shall include removal of debris and non native ground cover and shrubs from the restoration area, as well as planting of valley oaks and interior live oaks at a density of approximately 50 plants per acre spaced randomly about 30 feet apart. The restoration program shall include a mitigation monitoring program that includes visual inspections of planted trees a minimum of one time per year for five years. Any trees that do not survive during the five year monitoring program shall be replaced.

Mitigation Measure 9.2b**:** Impacts to upland riparian habitats will be mitigated through implementation of the wetland mitigation and monitoring plan submitted to and approved by the Corps of Engineers (refer to *Mitigation Measure 9.3a*).

Disturbance or Degradation of Wetlands

Mitigation Measure 9.3a: The County shall implement a wetland creation and monitoring program as approved by the U.S. Army Corps of Engineers in conjunction with their issuance of a Nationwide Permit. The County will submit an application for this permit in September 2003. The application includes a conceptual wetland mitigation and monitoring plan to offset anticipated impacts to wetlands. The proposed wetland mitigation plan includes expansion of portions of the riparian wetland areas

adjacent to the open water ponds, for a minimum of 0.5 acres of created wetlands to mitigate impacts to 0.46 acres, ensuring compliance with the U.S. Army Corps of Engineers' "no net loss" policy. Wetland habitat creation shall include revegetation of the area using native shrubs, trees, and wetland plant species. The County shall continue to work with the U.S. Army Corps of Engineers and a qualified wetland scientist to finalize and implement the wetland mitigation and monitoring program. The wetland mitigation and monitoring plan shall commence prior to occurrence of impacts to any onsite wetlands.

Mitigation Measure 9.3b: Implement *Mitigation Measure 7.1a,* which stipulates required components of a Construction Emission/Dust and Erosion Control Plan.

Mitigation Measure 9.3c: The County shall incorporate additional Best Management Practices to control erosion and sedimentation of onsite drainageways during demolition at the Wastewater Treatment Plant, Land Development Building site, and other building demolition sites; during construction at the sites of the Land Development Building and Auburn Justice Center; during placement of the excess material from the expansion of the DeWitt Center Detention Basin; during rough grading and installation of infrastructure at the Children's Emergency Shelter and Women's Center sites; during installation/provision of any other infrastructure needed to serve the projects included in the proposed DeWitt Government Center Facility Plan; and during project operation. Best Management Practices for erosion and sediment control shall include the following measures:

a) Maintain 50-foot setbacks for construction and grading activities from intermittent streams, riparian areas, and wetlands.

b) Prepare a winterization plan for sites where construction is not completed by October 15.

c) Minimize the depths of cuts and fills to the extent feasible.

d) Use measures to prevent eroded soil from entering site drainageways, including: placement of hay bales or other acceptable materials such as sediment barriers, installation of temporary earth berms, use of fabric silt fences, spreading hay or straw on exposed area, development of temporary settling areas and use of other means for slowing runoff and reducing sediment loads. Sediment collected at the erosion control sites shall be collected and disposed of once revegetation has become established. Specifications for silt fencing shall be included on final grading plans for each project area.

e) For surfaces at any project site that are not revegetated or covered, the County shall implement other BMPs to minimize discharge of sediments offsite such as filter strips or vegetated swales.

f) Design new storm drains throughout the project area to trap sediment and trash. Establish a program of routine maintenance to ensure their continued effectiveness.

g) Minimize drainage concentration from impervious surfaces using construction management techniques and erosion protection at culvert outfall locations.

h) Storm drainage from onsite impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, filters, etc. for entrapment of sediment, debris and oils/greases as approved by DPW. A monitoring program that includes monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to DPW for approval prior to issuance of grading permits for each project site.

Mitigation Measure 9.3d: Final site plans for the Children's Emergency Shelter and Women's Center projects shall incorporate setback easements from wetlands, riparian vegetation, and the open water ponds. Setbacks shall be a minimum of 50 feet from the closest edge of existing wetland, vegetation, or pond to the landscaping associated with each building and/or parking area, in compliance with Policy 6.A.1 of the *Placer County General Plan*. Setbacks from created wetlands shall be a minimum of 75 feet. No grading, paving, construction, or landscaping shall occur within these setbacks unless the location is necessary for the construction of new roads or infrastructure to serve the Children's Emergency Shelter and Women's Center projects.

Adverse Affects on a Population or the Critical Habitat of Rare or Endangered Plants or Animals

Mitigation Measure 9.4a: Pre-construction surveys at the proposed Children's Emergency Shelter and Women's Center sites shall be undertaken during the raptor nesting season (March through August) within 30 days prior to the commencement of site preparation activities to identify if active nests are in the grading and construction areas and would be impacted. If they are determined to be onsite, no grading or heavy construction activity shall take place within close proximity to the nest until nesting is completed and any young are successfully fledged. Nest trees themselves shall be preserved. The County or other project applicant (i.e., in the case of the Women's Center) shall consult with the California Department of Fish and Game to determine the appropriate construction setback from nest trees. Typically the California Department of Fish and Game requires a 500-foot setback, but the setback can be a minimum of 300 feet.

Mitigation Measure 9.4b: The County shall install bat excluders in every building to be demolished for a minimum of six weeks prior to demolition. The excluders shall be installed following the maternity season, which occurs from April to the end of June and shall remain in place until building demolition occurs.

Mitigation Measure 9.4c: The County shall install bat boxes throughout the onsite oak woodland and associated ruderal habitat. The County shall consult with the California Bat Conservation Fund and the California Department of Fish and Game to determine the appropriate specifications, numbers, and placement of the bat boxes. The County shall develop a monitoring program for this mitigation measure that will include visual inspections of each bat box every four months for five years. The visual inspections will be conducted to ensure that each box remains in good condition and to record observation data regarding indications of usage of the boxes.

This page intentionally left blank.